Morning Oregonian.

VOL. XXII.—NO. 6632. PORTLAND, OREGON SATURDAY, JULY 29, 1882. PRICE—TEN CENTS.

GENERAL NEWS.

No Hope of an Agreement Between the Pennsylvania Factions.

A TERRIBLE GIANT POWDER ANGLO SON STARTLES CHICAGO

Forest Fires in Michigan Doing Immense Damage to Timber and Farms—Work of the Tariff Commission.

SPECIAL DISPATCHES FROM THE SUN.

PHILADELPHIA, July 29.—J. D. McKee, chairman of the independent republican state committee, in reply to John W. Hoyer, chairman of the republican state committee, regarding the four suggested methods of settling the fight by the latter to the effect that the committee shall be selected by the state committee, and that by the latter to be appointed, says: I am authorized to say the committee and none of the four suggestions are acceptable to us. With them no honorable unity of republican interests in Pennsylvania could be obtained. After them are made, quite to that end. The third suggestion, which alone may demand attention, has already been rejected, not including withdrawal of that state ticket which was made in many months ago, and I again in advance of the fair results, convention. This proposition, supposing it to have been entertained, would put forward clearly shows that it does not give the assent of the independent republicans of Philadelphia, and we cannot agree to make such an agreement as we do not approve that on its face it defeats the very object for the movement in which we are engaged. This committee regrets that the chairman of the committee deems it desirable to make overtures to its political republicans you should have so far misapprehended the facts of the situation.

Giant Powder Explosion.

CHICAGO, July 28.—A terrific explosion of giant powder occurred shortly before 6 o'clock last evening at the corner of Halsted and Fulton streets. A wagon containing 1,000 pounds of giant powder and 1,000 pounds of blasting oil, under the charge of two men, was standing in front of the establishment of John Hyatt, when the powder blew. The result was a spark struck and the explosion, leaving the workman about 30 feet and setting fire to the building. Sparks were carried for a quarter of a mile, and the explosion was heard many miles. Extravagant rumors were current in the city as to the extent of the loss of life and many terrible reports were circulated. The first report received was that the building into minute fragments. People were knocked down by the concussion many blocks away, and a large amount of window glass broken and plastering knocked off. Some houses several blocks away were injured. A report received from points of damage several miles away was broken. No one was killed. A large number of people were more or less injured, but it is believed none dangerously.

The Tariff Commission.

LONG BEACH, July 28.—The tariff commission continues its public session. It first heard the plea in behalf of salt making here. Then Assistant Secretary of the Treasury French, commissioner, made motions and suggestions. The drift or all of them was that the commissioners should consult experts and manufacturers as much as possible in framing the new tariff, and thus avoid the difficulties in the way of the last commission. On the question between specific duties and advalorem duties the only way in which the two parties which form can be obtained. After them are made, quite to that end. The third suggestion, which alone may demand attention, has already been rejected, not including withdrawal of that state ticket which was made in many months ago, and I again in advance of the fair results, convention. This proposition, supposing it to have been entertained, would put forward clearly shows that it does not give the assent of the independent republicans of Philadelphia, and we cannot agree to make such an agreement as we do not approve that on its face it defeats the very object for the movement in which we are engaged. This committee regrets that the chairman of the committee deems it desirable to make overtures to its political republicans you should have so far misapprehended the facts of the situation.

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Delaware Republican Convention.

DOVER, July 28.—The republican state convention assembled this morning. A letter was read from Senator Bayard declining to be a candidate for re-election. Ex-Governor Ross was nominated for governor by acclamation. The rest of the state ticket was also nominated. The platform indorses the administration, favors the election of Bayard, and denounces the late action of the Democratic party in the legislature.

The Michigan Forest Fires.

EAST TAWAS, July 28.—Forest fires to the northwest and south are burning fiercely and fields of grain, farm houses, fences and orchards together with immense tracts of cedar and pine are burning. Two hundred head of cattle are unaccounted for. No correct list of losses can be given, as accounts are still coming in. Brower's camp on Hope creek, burned yesterday with a lot of supplies and implements. Many cattle are reported burned, cattle and other stock burning and farmers deserting their homes. At 5 o'clock this afternoon a thunder storm set in lasting to midnight and will tend to check fires. Fires also reported are threatening that town to-day.

Arkansas Temperance Convention.

LINCOLN, Neb., July 28.—The state temperance convention completed its labors to-day and adjourned. An executive committee was appointed to superintend campaign work throughout the state and five delegates elected to attend the national temperance meeting to be held in Chicago in August, 1882. The question of submitting a constitutional amendment to the people will be left before the state convention to meet in July next. A declarative platform, a thorough canvass of the state in the interest of the amendment was declared on.

New York Notes.

NEW YORK, July 28.—Latonville turf club was raided by the police yesterday. Gamblers being forewarned, defeated the apparatus and escaped.

Aaron C. Burr, adopted son of Aaron Burr, died this morning at his residence on West 129th street. He was born in Paris in 1808, and was a son of Count Verdi de Lisle.

Quite a number of people are fatally affected by the heat in this city and Brooklyn and neighboring places, last night being little relief.

Cooper's Opinion of the Situation.

PHILADELPHIA, July 28.—Senator Thomas V. Cooper, chairman of the republican state committee, says the reply of the independents does not change the situation so as to warrant them in forwarding the projects of the propositions submitted by regulars. He thought the independent movement had lost its strength among the republicans here, and predicted the sweep and independent tickets will poll less votes than the Armstrong (labor) ticket, the latter having strength of which he placed at something over 30,000.

Fast Time.

CHICAGO, July 28.—A train of seven cars of tea and silk left San Francisco July 19th, left here this morning and arrived at Kansas City at 7 A. M. on the 19th, making the run from San Francisco to Kansas City in six days and seven hours. The Chicago, Burlington & Quincy and the A. T. & S. F. road (1,8 miles) do the run. This freight was destined part for Chicago and part for Boston and New York. A second train of 20 cars left San Francisco 24 hours later and made the same time to Kansas City. This time is believed to be unprecedented.

The Week's Failures.

NEW YORK, July 28.—Failures of the week reported to New York and vicinity from last week. Of these the cases in states furnished 18, western 30, southern 19, middle 12, Pacific states and territories 4, and New York city 5. The only failure of note in New York city is that of W. J. Wilcox & Co. The total liabilities announced as far as known are $1,000,000, of which only $1,000 will pay 50 per cent, advancing on the ground that this figure was the average rate paid for materials in construction of carriages. A solicitor's secretary remained in the factories upon the difficulties, peculiarities and composition of the existing tariff. Taking up the question of specific valuations or foreign to action, he stated that he would have a list of tariff and additions and difficulties, prepared and submitted to the commission. The solicitor also appeared representing the secretary of the treasury, to sign an expert to prepare such a list, in order to enable the tariff commission to report completion. Commissioner Jenckes resulting from these ambiguities adjourned until to-morrow.

No Prisoners Wanted There.

LITTLE ROCK, July 28.—A few days since postmistress Rogers, of Searcy county, came to Benton, 20 miles south, on the free mountain railroad, to dig gravel for a railroad contractor. His son, Will Rogers, was in charge and when the latter left the building after the noon meal a large number of men went to the quarters burned the buildings and lumber and then set fire to the jail and the county court records from there to Little Rock, and threatened to kill them if they came back. No attempt has been made to investigate the matter. Intelligence reached Benton, and it is believed serious trouble would follow if the convicts were sent back.

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Strike at Lowell.

LOWELL, Mass., July 28.—Seven men and girls in the short manufactory to-day struck against the reduction of wages. The strike extends to-night to the cotton mills.

Richmond Sold.

RICHMOND, Va., July 28.—Nothing else is talked of to-day but the Richmond-Hampton forfeit of $500 a side to-morrow between Richmond and Hampton. Betting is even.

Political Notes.

DES MOINES, July 28.—The state prohibitory amendment was adopted by 31,464 majority. Ninety-nine counties out of 100 except re-organized counties in the state have elected all the officers.

A Grateful Relief.

DUBLIN, July 28.—A heavy thunder storm occurred in the vicinity of East Tawas, Michigan where forests and timber lots are burning by acres.

Proceedings Quashed.

NEW YORK, July 28.—Proceedings against the railroad companies to compel them to receive and transmit freight have been quashed.

BY ATLANTIC CABLE.

Parliamentary Proceedings.

LONDON, July 8.—In the lords yesterday the session of 1882 will passed its second reading.

In the commons the house secretary refused to answer questions relative to the arrest of O'Brien in Ireland in connection with the murder of Lord Cavendish and Burke, on the ground that it would be inconsistent with public interest.

Gladstone before a vote of credit was taken in committee of supply last night said that nothing had happened to affect the duty of the government to press a vote in connection with the acceptance by the porte of intervention in Egypt.

In answer to this afternoon Gladstone amidst cheers read extracts from instructions forwarded to Lord Dufferin, Sir Isaac ambassador at Constantinople after the cabinet meeting yesterday saying that England was glad of the co-operation of any power in consultation with Arabi Pasha as to the proposition of withdrawal of the Egyptian troops. They were also read to Musurus Pasha, Turkish ambassador at London announcing that the sultan would withdraw troops immediately. The communications from Musurus Pasha contained no reference to the proclamation of Arabi Pasha as a rebel. The ambassador assured Lord Granville that the sultan would co-operate with the proceedings of the conference.

The under foreign secretary stated a telegram had been received from Cartwright, confirming the statement that Arabi Pasha declined to indirect communication by Arabi Pasha with a view to surrendering the military party but there had been no direct communication between Arabi Pasha and the porte. The report was that Arabi offers to retire to a Mussulman monastery in Syria with his colleagues, for which he asks 24 hours' delay. They are for Arabi Pasha. All Fehmi Abdallah Pasha and Mahmoud Pasha. Armed engine dispatched by the British ons sent to meet Beyrut Pasha and two aliens to discuss this proposal. It is stated the government has received no confirmation of this news.

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Gladstone, in speaking of Egyptian affairs stated that Lord Dufferin had been ordered to instruct a large number of troops the sultan proposes to send to Egypt and in regard to their proposed disposition that Lord Dufferin had been ordered to inform the government. Ingersoll opened fire defense with a request to further examine Walsh but the court refused and adjourned until Monday at present is taken.

Official Absconded.

The superintendent of the house department reports John H. Peyton, of Virginia, has absconded. He is accused of having forged the name of his old friend Judge Hughes of the U. S. circuit court of Virginia to a $2,000 check.

THE TURF.

Cleveland Races.

CLEVELAND, July 28.—Pleasant weather first track and very large attendance. The principal interest centered in the special race, which for two heats was a remarkably close contest between Clay, Stone and Edwin Thorn, the last horse being kept in front by reins to win one ring between the two. The exception was too much for Thorn at the Glengrove street eighth heat. A minor named Fitzpatrick, was settled as pilot for the 4:40 hill fired at the people and was arrested on the 11th inst. By his own confession he shipped on the 9th inst. Mayor in the name of O'Brien to the British bark Gala Water from Swansea for Cork. He says he left Dublin on the night of the 6th of May by steamer Swansea and the names of three of those who assisted in and their trials in the murder cases which both with before a British court. He says he was paid by O'C ureau. Carter and Parnell who knew nothing of the murder prior to the outbreak. It appears the man is tall and slim. He says the price of the deed was $26 to each of the seven for the 6 of May. Fitzpatrick is to be taken from Cork to Dublin on the night of the 6th of May by steamer Swansea and the names of three of those who assisted in and their trials in the murder cases which both with before a British court. He says he was paid by O'C ureau. Carter and Parnell who knew nothing of the murder prior to the outbreak. It appears the man is tall and slim. He says the price of the deed was $26 to each of the seven for the 6 of May. Fitzpatrick is to be taken from Cork to Dublin on the night of the 6th of May by steamer Swansea and the names of three of those who assisted in and their trials in the murder cases which both with before a British court. He says he was paid by O'C ureau. Carter and Parnell who knew nothing of the murder prior to the outbreak. It appears the man is tall and slim. He says the price of the deed was $26 to each of the seven for the 6 of May.

Mansion Parliament Retaked.

LONDON, July 28.—The *Times*, commenting on the address of the Canadian parliament to the queen in favor of home rule for Ireland, says: "The respectful phrase in which the address is couched calls for blind anyone to the fact it amounts to a vote of censure of the government and encouragement of its avowed enemies. We say at a loss to determine whether under the circumstances the address is simply a dodge to catch the Irish vote, which ought to be regarded as an aggravation, or taken as the offense it is more charitable view to take it condemns the Canadian parliament as guilty of levity, a thought which must seriously detract from the value of any opinion it may form."

The Asan Pasha Indefinitely Ill.

DUBLIN, July 28.—Anna Parnell is dangerously ill of brain fever, brought on by news of the sudden death of her sister Fanny. She does not recognize anyone. The doctor entertains slight hope of her recovery. Laughlin A. Parnell, her brother, has been telegraphed for.

All Hope Abandoned.

LONDON, July 28.—Gladstone informed parliament yesterday that the government has abandoned all hope of passing the corrupt practices bill this session.

In League with Nihilists.

VIENNA, July 28.—A telegram from Bucharest reports that a son of one of the Russian consuls in Roumania has been arrested at Odessa on a charge of supplying dynamite to nihilists.

CRIMINAL NOTES.

Bookkeeper Absconded.

CHICAGO, July 28.—John Raper, a young English man for years in the employ of Benj. Allen & Co., packers' commission agents, has absconded with $3000 shortage. He was chief book-keeper and the firm trusted him implicitly. He had lost sight of one eye. His sticking habits when he secured like by his loss that of the other. It is supposed that he has gone to England where his sister lives.

A Criminal Gives Himself Up.

B. F. Bigelow, former receiving Teller of the National Bank of the Republic at Washington, was arrested this morning at Fort Huron. He is alleged short $25,000 since July, 1882. He has been going from place to place and gave himself up to avoid bodily.

General Raw.

GALVESTON, July 28.—Mexican Frank a mulatto is reported to have killed Deputy Sheriff McCall Uncle at Galleah near Ferendez. In a fight two Mexicans were killed by a crowd of Americans.

Hanged.

LEXINGTON, Ky., July 28.—At 1:07 the drop fell for Isaac Parker. Execution private. He was hung for killing the Rev. size colored.

WEST INDIES.

A Murderer's Confession.

NEW YORK, July 28.—*Herald's* St. Thomas: The assassin Lord Frederick Cavendish, who was arrested at Pinedale Castille, Van Zandt, gives his name as Wm. Westgate. He was arrested on the 11th inst. By his own confession he shipped on the 9th of May in the name of O'Brien on the British bark Gala Water from Swansea for Cork. He says he left Dublin on the night of the 6th of May by steamer Swansea and the names of three of those who assisted in and their trials in the murder cases which both with before a British court. He says he was paid by O'C ureau. Carter and Parnell who knew nothing of the murder prior to the outbreak. It appears the man is tall and slim. He says the price of the deed was $26 to each of the seven for the 6 of May. Fitzpatrick is to be taken from Cork to Dublin on the night of the 6th of May by steamer Swansea and the names of three of those who assisted in and their trials in the murder cases which both with before a British court. He says he was paid by O'C ureau. Carter and Parnell who knew nothing of the murder prior to the outbreak. It appears the man is tall and slim. He says the price of the deed was $26 to each of the seven for the 6 of May.

Not Remarkable Triumphs.

Chicago Times

The actresses who have gone abroad recently to win fame and fortune and return with a foreign reputation are not remarkable triumphs. Actresses who have been to the front of the world who has made a great success. Fanny Davenport, Lotta, Langtry, Aimee, Rhea, Modjeska, Janauschek, Adelaide Neilson, Kellogg, Parepa, Rosa, Nilsson, Patti, Lucca, Titiens, Gerster, Lucca, Ristori, Rachel, Mario, Grisi, Jenny Lind, Malibran, Pasta, Siddons, Garrick, Kean, Booth, Forrest, Macready, Talma, Kemble, Cooke, Cushman, Clarke, Jefferson, Wallack, Burton, Sothern, Irving, Barrett, Mansfield, Salvini, Rossi, Modena, Fechter, Edwin Adams, Lawrence Barrett, Lester Wallack, Dion Boucicault, Joseph Jefferson, Edwin Booth, Lotta, Fanny Davenport, Langtry, Aimee, Rhea, Modjeska, Janauschek, Adelaide Neilson, Kellogg, Parepa, Rosa, Nilsson, Patti, Lucca, Titiens, Gerster, Lucca, Ristori, Rachel, Mario, Grisi, Jenny Lind, Malibran, Pasta, Siddons, Garrick, Kean, Booth, Forrest, Macready, Talma, Kemble, Cooke, Cushman, Clarke, Jefferson, Wallack, Burton, Sothern, Irving, Barrett, Mansfield, Salvini, Rossi, Modena, Fechter, Edwin Adams, Lawrence Barrett, Lester Wallack, Dion Boucicault, Joseph Jefferson, Edwin Booth.

WASHINGTON CITY

The River and Harbor Bill to be Vetoed.

WASHINGTON, July 28.—[Correspondence of the Associated Press.] It is now generally believed that the president will veto the river and harbor bill. Representative Cox, of New York, who is a democratic member of the committee on rivers and harbors, and who has been active in the preparation of the bill, has declared that he will vote against it. Senator McMillan, a Republican member of the committee on commerce, has also declared that he will vote against the bill. Senator Allison, who has been active in the preparation of the bill, has declared that he will vote against it. Senator Harrison, a Republican member of the committee on commerce, has also declared that he will vote against the bill. Senator Voorhees, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Beck, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Jones, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Gorman, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Hampton, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Ransom, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Butler, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Vance, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Ransom, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Butler, a Democratic member of the committee on commerce, has also declared that he will vote against the bill. Senator Vance, a Democratic member of the committee on commerce, has also declared that he will vote against the bill.

Loyal Notes.

On the 21st of last March the steamship Colonel Cook, owned by the Oregon Railway & Navigation Company, grounded on the rocks near Point Adams and was assisted by tugboats owned by Miller, Griffith, Charles Stafford and Edwin Goodall. A controversy having arisen between the owners of the Columbia and the wrecks of the tugs as to the value of services performed the latter parties have referred to a board of arbitration, Oliver Hill, Robert H. Waterman and S. Gilliard Hoffman as arbitrators. A document filed in support of the claim of the respective owners sets forth that the award of arbitrators shall be final and entered as court judgment. No action to be made on or before July 1st, 1882.

Judge Hunt this morning in the case of Ellen M. Collins vs. Leland Stanford, C. P. Huntington, Chas. Crocker and Wells Fargo & Co. granted the motion of defendants to strike out parts of the complaint for want of prosecution.

Washington Notes.

Charles W. Clifford, appointed a acting clerk of the house was prostrated by the heat while ascending the steps of the capital this morning. His condition is critical.

The [illegible] meeting did not adjourn till 3:30 o'clock. Consideration of the river and harbor bill was not completed. A special meeting will be held to-morrow morning to consider the subject further.

Star Route Trials.

WASHINGTON, July 28.—Rosenberg's testimony was found not admissible under ruling of the court and that Lord Dufferin had no alternative but to accept the proposal. It is stated the government has received no confirmation of this news.

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Gladstone, in speaking of Egyptian affairs stated that Lord Dufferin had been ordered to instruct a large number of troops the sultan proposes to send to Egypt and in regard to their proposed disposition that Lord Dufferin had been ordered to inform the government. Ingersoll opened fire defense with a request to further examine Walsh but the court refused and adjourned until Monday at present is taken.

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The Hillsdale Crew Withdrawn.

LONDON, July 28.—The Hillsdale crew have withdrawn their entry for the Barnes and Mortlakes races on account of the Thames and London outlet refusing them. The committee of the regatta has not had a decision in regard to acceptance of the Hillsdale crew and should they decline to row all but the Hillsdales preferred to withdraw.

A Sporting Rumor.

NEW YORK, July 28.—The *Spirit of the Times* says editorially: It is reported Hale would have to undertake another Hale. Hale would have to undertake another Hale. Hale would have to undertake another Hale.

The Daily Oregonian

SATURDAY MORNING, JULY 9, 1881

THE FREIGHT SITUATION.

Now that we have ascertained of a fair wheat crop the question of tonnage is the most interesting and the most important to the farmer. The rates of tonnage from which the price of grain here very greatly depends, is, of course, regulated by the conditions of supply and the demand, and at this early date these conditions cannot be estimated with even a fair approach to exactness. Any estimate I could two months ahead or three at most, would be nothing more than a wild guess and would have no more value. The facts of the situation so far as known are as follows: The total tons register now in the Columbia and Willamette rivers, disengaged and suitable for wheat, is 14,000 tons register. The American iron bark Annie Johnson, chartered yesterday, is included in these figures. On the 31st for July-August arrival we find 3258 tons register, and for August-September arrival, 5000 tons register. The situation at San Francisco on the 5th instant was reported as follows: On the berth for Europe, 21,175 tons; disengaged and suitable for wheat, 41,091 tons; listed for miscellaneous business, 1461 tons; reported as bound for China, 298,449 tons; visible supply of registered tonnage, 357,107. As it is impossible to know yet how much tonnage will turn toward the coast during the next six months, or how much we shall need, it is not possible to figure very accurately on the much talked-of "tonnage problem;" but it may be said in general terms that the entire supply of shipping now in sight will not carry more than about one-half of the probable surplus of the coast. A repetition of the high freigh rate of the past two years is not probable, nor will rates be as low as for the season preceding them. While the situation is not in the hands of ship-holders, as it was last season, it affords them a basis for a stiff front and they will not fail to profit by it. An engagement effected yesterday, that of the Annie Johnson by Balfour, Guthrie & Co., for Liverpool direct, at 65s, shows the temper of the situation. True, this is for salmon, which can afford a higher rate than wheat, but it is higher than expected and was a surprise to shippers thoroughly familiar with all the circumstances of the situation.

It is difficult to realize how great is the sum which Oregon pays annually for charters. The one hundred and fifty-nine vessels which our exporters dispatched to Europe during the season just closed, cost in charter rates, $4,416,000. The highest charter was 92s 6d, the lowest 47s 6d, and the average 75s. Only the wonderful productiveness of our fields maintains this enormous drain.

CANNED FRUITS AND VEGETABLES.

It was erroneously stated in our columns two or three days since that the Lovejoy fruit cannery, in this city, had done nothing in the way of putting up vegetables. We learn on the contrary, that it is canning corn, peas, beans, and tomatoes in large quantities and to some extent, also, has been canning salmon and meats. It is prepared to put up every kind of hermetically sealed goods, and its annual product is large. The goods are equal to any in their line. But it is a habit with Oregon not to patronize and encourage her own industries. These goods of the Oregon Fruit Packing Company are shipped in large quantities to San Francisco, receiving the labels of packing establishments there, and are then returned here, sold and consumed. Dealers here hesitate to put them on the market direct from the cannery but after they have been carried to San Francisco and back—having returned meantime the brands and labels of packing houses there—they will sell here without question. Offered as an Oregon product, they would be neglected by those who will readily buy and consume them when they bear the California mark, and never know the difference. It is this fashion of neglecting and decrying our own products that makes the starting of productive industries here so very difficult. Under the foolish and unjust notion that everything Oregonian-like must be of inferior quality, consumers not only submit themselves to impositions, but discredit industries that would contribute immensely to the credit and prosperity of the state. We say all we need to say on the Oregon Fruit Packing Company as evidence against its overcoming this absurd, unjust and injurious prejudice against goods of Oregon production.

A PROSPEROUS SETTLEMENT.

A good many of the thrifty and industrious Germans who settled in Portland, so one of the most conspicuous of the early settlers of this city, and who, with his sons, has been engaged in the trade with Portland for the past year, ended May 31st last, with a net profit of over seventy per cent. on the capital employed during the year. To any one who knows the proceeds of a year, and the current year promises to maintain the proportion of growth. Connection with Portland is by way of the river steamers Toledo and Kellogg, which, running on alternate days, make daily trips. Messrs. Joseph Kellogg & Son make the following statement of the business done by them during the twelve months ended May 31st, 1881:

Number of passengers carried	11,392
Tons of freight carried	10,025
Cordwood	1,000
Lumber shipped (feet)	1,000,000
Shingles shipped	5,365,500
Wool	12,500,000
Filling sacks	1,000

This section deals directly and solely with Portland, although it has facilities for seeking two other markets. The river affords open way to Astoria, which is almost as near as is the city itself to the Pacific coast, and gives easy access to the sound. The region is prosperous in every way, and schools and church privileges. There is much good land still open to settlement.

NEW TO-DAY.

WANTED—AN EXPERIENCED GIRL TO DO general housework, where there are no children; good wages; corner Twelfth and Alder, between 2 and 3 o'clock. 22nd

MARE FOR SALE—A HANDSOME, WELL-broke general mare. Works single or double, and a splendid saddle animal. Will be sold cheap, as owner has some feather. Apply to W. R. CREIGHTON, 230 At the office of Hipso, Chipeh & Co.

DESIRABLE BLOCK FOR SALE—LOTS 1 & 2, Block 204, southwest corner of Fifth and Clay; suitable for business, fronting 120 feet on Fifth and 100 feet on Clay; also, 2 dwelling houses. Inquire of or address JOHN WILSON, 201 Twelfth St. P. O. box 501. 22nd

FOR RENT—A LARGE, FURNISHED FRONT room, on the first floor, suitable for two gentlemen or man and wife; with or without board; house pleasantly situated, No. 31 Caroline street, between Flora and Front; near car line. Inquire of George Lord. 22nd1w

I. O. O. F.—BY AUTHORITY OF A SPECIAL Command signed by the R. W. Grand Lodge Master of the R. W. Grand Lodge of Oregon, I, P. C. Schell on Monday, July 11th, 1881, at 2 o'clock P. M., proceed to be duly installed the following named officers of Lodge No. 1, U. D.: All members of the Order in good standing and sojourning Brothers are cordially invited to be present. CHAS. E. STITES, 16 G. M., Special Deputy.

Portland, July 8, 1881. 22nd

PROGRESS LODGE NO. 7, I. O. O. F.—ALL members are hereby notified that the first regular meeting will take place on Monday, July 11th, at 8 o'clock, P. M. for the purpose of balloting and work in the degree. All members of the Order in good standing and sojourning Brothers are cordially invited to attend. 22 GEO. W. ROSS, N. G.

WILL CLOSE.—THE BOSTON RESTAURANT WILL CLOSE on the 31st and remain closed for the purpose of making such alterations in the real property as I may wish, and when again opened it will be first-class in every particular. 21 2dw

FOR RENT—THE PENDLETON HOTEL, WITH a supply of the finest liquors and choicest brands of cigars for sale. The above hotel is pleasantly situated in the city of Pendleton, Umatilla county, Oregon, and is the best hotel in the town. To any one desiring to embark in the hotel business this is a rare opportunity. For further particulars inquire of or address the undersigned. H. C. TAYLOR, Pendleton, Oregon.

CORNICES, CLOTHS, THE CITY DECORATORS can be found at 147 Front street, between Yamhill and Taylor. Cheap for cash. 147 Front st. 21

COTTAGES FOR RENT.

A CERTAIN NUMBER OF DESIRABLE COTTAGES will be rented to responsible parties. Apply to McCOY, Cheapest Job Printer, 1st & Stark.

WANTED—SIX JOURNEYMEN TINNERS. 21 Apply at J. C. ADAMS & CO.'S.

FOR RENT.

A SUITE FURNISHED OR UNFURNISHED, with or without board, at No. 6 Park st., opposite Plaza block. 21

TO LET—THE STORE AND BASEMENT NOW occupied by Mrs. Hall, 109 Second st. Apply to 21 2dw

MARRIED.

In this city, July 7, at the residence of the bride's parents, by the Rev. J. H. Acton, Mr. W. H. Jackson and Miss Eugenia E. Combs, both of Portland. No cards.

DIED.

In this city, July 26, Ellen Ellen, beloved wife of Jas. Tierney, aged 44 years, 10 months and 12 days. Native of Leglon, England.

The friends of acquaintances are respectfully invited to attend the funeral, Sunday, July 10, from her late residence, 311 City street, at 2 P. M.

In this city, July 29, infant child of C. H. and Emma B. Sweet.

Funeral at 4 P. M. Saturday, July 29, from residence 279 Oak street. Friends of the family invited to attend.

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TO LET—THE STORE AND BASEMENT NOW occupied by Mrs. Hall, 109 Second st. Apply to 21 2dw

NEW TO-DAY.

Steamer LURLINE,

Will leave foot of Yamhill street,

SATURDAY, the 29th inst., at 2 P. M.,

for

ASTORIA and ILWACO.

Connects at Astoria with steamers for the sound. Returning, will leave Astoria Monday, at 7 A. M. 22 2dw

REOPENED.

D. J. MALARKEY & CO.,

COMMISSION MERCHANTS,

Have reopened their

ORDERS AND CONSIGNMENTS

Will receive prompt attention. 20 2dw

For Shoalwater Bay, Tillamook and Gray's Harbor.

THE NEW AND FAST STEAMER GENERAL McCLELLAN will leave Ainsworth dock for the above ports on SATURDAY, July 30th, at 10 o'clock A. M. For freight or passage apply on board. 21 2dw

CASCADES

MINERAL WARM SPRINGS,

2 Miles from Lower Cascades, W. T.

A MOST DESIRABLE RESORT FOR THOSE seeking health or pleasure. Parties can leave Portland in the morning and reach the Springs the same evening, and no passport for the transportation of baggage. Ample accommodations for camping, and provisions can be purchased on the ground at reasonable rates. KNOX & SCOFIELD, Props. For further particulars address T. M. MOFFETT, Cascades, W. T. 22nd1m

NOTICE TO SHIPPERS.

IN ACCORDANCE WITH NOTICE FROM THE Treasury Department, the transportation in bonded cars of merchandise arriving from the Hawaiian and other foreign ports, or of refined petroleum, or the products of petroleum, or of alcohols, or of explosives, or of dynamite, or other explosive articles, this Company will hereafter decline to receive freight for shipment on regular steamers, except as noted below, but will allow 25c freight from Portland to the Columbia river and such lots can be sent by steamboat the first of the following week.

Upon the Astoria route consignments of refined petroleum will be received, provided there are in course of packages, and marked upon the outside of each package in the manner required by law, the words "Refined Petroleum," and the temperature at which it will ignite, which must not be less than one hundred and ten (110) degrees Fahrenheit.

JOHN MUIR,

July 29, 1881 Supt of Traffic, O. R. & N. Co.

DISSOLUTION OF COPARTNERSHIP.

NOTICE IS HEREBY GIVEN THAT THE CO-partnership heretofore existing between Wong King Way and Yin Kim, doing business as Wong King Way, under the firm name of Quong Man Wah Co., at Astoria, Oregon, was on the 29th day of July, 1881 dissolved by mutual consent, Wong Hing Way retiring from the firm. The business will be continued at the same place by the remaining partners, who assume all debts of the firm and are exclusively entitled to collect and receipt for all moneys due the firm.

WONG HING WAY,
WONG YEN KIM,
WONG SEE LUNG,
WONG KING WAY.

July 29, 1881 22nd1w

CARD.

EDITOR OREGONIAN—IN A RECENT ARTICLE in your paper it is said I am interested in a crime in which Jack Gerdes is said to be the injured party. This is incorrect. It is true, It is also said that it is mainly caused because I deposited $4 in the First National Bank some time after the alleged crime is said to have taken place. That the public may know the only excuse, for there is no cause for my arrest, allow me to say that after the pretended crime is said to have been committed I did not, as is said, deposit in the First National Bank. I was entirely innocent of the alleged crime, and I say there is only small amount—$65, which I earned in my business, and never a dollar in the First National Bank. I am

N AND COMMISSION.

ELMAN & CO.,
and Commission Merchants,
Nos. 204, 206 and 208
Market and Ma...

L AUCTION SALE
OLD FURNITURE.
...premises, No. 242 Third Street,
...Market and Main.
DAY, JULY 21, 1882,
...Furniture and Carpets of a
Residence.
...
...
...

ON AND COMMISSION.

GILMAN & CO.,
and Commission Merchants,
First St., bet. Pine and Ash.

AL AUCTION SALE
HOLD FURNITURE.
No. 247 Third Street,
Market and Main.
NDAY, JULY 21, 1882,
Furniture and Carpets of a
Residence.

GILMAN & CO., Auctioneers.

R AUCTION SALE
OF
Furniture, Carpets,
ETC. ETC. ETC.
Nos. 12 First Street.
, AUGUST 1st, 1882,
at 10 o'clock A. M.
HOLD FURNITURE
COMPRISING:
Matting, Spring Mattresses,
Crockery, Glassware,
Bedsteads, Tables, Lounges,
Comforters.
ALSO
RCHANDISE, full balance of stock
and HOSIERY.
GILMAN & CO., Auctioneers.

R TATTERSALLS!
TURDAY, JULY 29,
Corner First and Pine.
Quarter-past 10 A. M. at sale-room.
Early new, Pony and Harness,
Draft Horses.
Covered Wagon,
Butcher Wagon,
J. O'CONNOR, Auctioneer.

EGATE OIL!
VICTORIA, B. C., July 13,
ly appointed Messrs. KELLY,
Portland, sole agents for our Oils.
SUPERLATIVE OIL CO.

, DUNNE & CO.,
porters and Dealers in
LS, WINDOW GLASS
28, VARNISHES, AND
rial of Every Description.
ents for the Celebrated
ER AND WATER-PROOF PAINT
CONE PACIFIC
Front St., Portland.

HE FOLLOWING
ORSEMENTS!
land, Or., July 6, 1882.
ersigned, representing the
insurance companies doing
city, witnessed a fire test
rening, June the 24th, by
ne, of the firm of Messrs.
E & CO., on a section of
ainted with two coats of
NIA FIRE AND WATER-
CO'S PAINT. The roof
a strong fire, composed
saturated with coal oil,
MINUTES. On clearing
the shingles were only
trongly recommend it for
as we are satisfied that
with it will not catch
or any ordinary fire ex-
ngs.
Agent.
Royal and London and Globe.
London, Liverpool and London and Globe Ins. Co.
Co. Atlantic
Co., North British and Mercantile.
Home Fire Ins. Co., Seattle.
Hamburg-Bremen Fire Ins. Co.
Co., Agents
Assurance Company.
Agent
Insurance Company.
Agent
Home Mutual Ins. Co. of Cala
Agents
Union and Lancashire Ins. Co.,
Agents
Co., Hartford Ins. Co.
Co., Agents
Insurance Co.
Agents
Co.
Agents
Co.
Agents

The Daily Oregonian.

SATURDAY MORNING, JULY 29, 1882.

DECISION IN U. S CIRCUIT COURT BY DEADY, J.

U. S. Circuit Court—District of Oregon.

FRIDAY, July 28, 1882.

THE DEVONSHIRE.—George Marshal, et al claimants. In Admiralty. No. 829.

(1.) EQUITY OR STRAM VESSELS.—The provisions of § 2 of the act of March 3, 1855 (10 Stat. 716; 4255 re.) relative to the construction and arrangement of berths on decks carrying passengers from foreign ports to the United States, are not deem ed applicable to steam vessels.

(2.) RE-ENACTMENT OF STATUTE—FORMER CONSTRUCTION OF IT.—Where a statute has received a judicial construction and is afterwards re-enacted by the legislature of the same or another country, it is presumed to have been passed as construed.

DEADY, J.

This is a suit in rem, brought by the United States to enforce a lien against the British steamship, Devonshire, for $4,133 of penalties, alleged to have been incurred by the master and owners by violation of ¶¶ of the act of March 3, 1855 (10 Stat. 716; 4255 of the R. S.), entitled, "An act to regulate the carriage of passengers in steamships and other vessels."

The libel alleges that on June 12, 1882, the said steamship, at the port of Hongkong, China, took on board 826 passengers, and on July 7, 1882, brought the same to the port of Astoria, and within the jurisdiction of the United States and this court; that the berths used by the passengers on said voyage were not constructed parallel with the sides of the vessel or separated by partitions, or two feet in width as required by said 4255 of the R. S., and were occupied by more than one passenger contrary thereto, whereby said master and owner of said steamship, severally, became liable to pay to the United States a penalty of $5 for each of said passengers, and that the libellant has a lien upon said steamship for the amount thereof.

The claimants except to the libel, and allege that the Devonshire is a steamship and the passengers in question, were steerage passengers and therefore said 4255 of the R. S. upon which the libel is founded, does not apply to her, and pray that the libel may be dismissed.

The first section of this act (¶¶4252-3-4 of the R. S.), provides that "no master of any vessel," foreign or domestic, shall take on at any foreign port in a territory not contiguous to the United States with intent to bring thereto, a greater number of passengers than in the proportion of one to every two tons of said vessel, and that "the space appropriated for the use of said passengers and which shall not be occupied by stores or other goods, shall be considered carriage of such passengers," shall be in a certain specified proportion to the whole number of passengers allotted to such space.

The second section (4255 of the R. S.) provides that "no such vessel shall have more than two tiers of berths," and prescribes the interval between the lower tier and the floor and the size of platforms, and that the berths shall be well constructed, parallel with the sides of the vessel, and seperated from each other by partitions," and be of a certain length and width, and each only occupied by one passenger; with a provision for double berths to be occupied by a married man and his wife, and certain circumstances and restrictions. For any violation of this section, it is declared that the master of the vessel and the owners thereof shall severally be liable to a penalty of $5 for each passenger on board of such vessel on such voyage, to be recovered by the United States in any port where such vessel may arrive or depart.

The fifteenth section (§ 4370 of the R. S.) declares that "the amount of the several penalties imposed by the foregoing provisions regulating the carriage of passengers in merchant vessels shall be liens on the vessel violating those provisions; and such vessel shall be liable therefor in any district or circuit court of the United States where such vessel shall arrive."

Each of these sections uses the word "vessel" without in any way limiting its application to a sail vessel. Standing alone and without qualification, they would include in their provisions a steam as well as a sail vessel. A vessel is nonetheless one or the other of the manner of her propulsion, whether by oars, sails or steam. And the Rev. Stat. (§ 3), declares that the term "includes every description of water craft or other artificial contrivance used or capable of being used as a means of transportation on water."

But the ninth section of the act, (§ 42.64 R. S.; act Feb. 27, 1877, 19 Stat. 250) provides that the provisions, requisitions, penalties and liens of this act relating to the space in vessels appropriated to the use of passengers are hereby extended and made applicable to all spaces appropriated to the use of steerage passengers in vessels propelled in whole or in part by steam; and navigating from, to and between the ports, and in manner as in this act mentioned, and to such vessels and the masters thereof; and pursuant to such of the provisions of the act of June 30, 1836 (5 Stat. 75), as relate thereto; and further, that the space appropriated for the use of steerage passengers in steam vessels, shall be subject to the supervision and inspection of the collector of customs" as provided in ¶¶ of the act, in the case of other vessels.

In January, 1868, this statute came before the district court for the S. D. of New York for construction, in the case of [illegible] which was a libel for a penalty [illegible] occasion of penalties alleged to have been incurred by the master and owner in the violation of this section (2).

Judge Blatchford held that the section was not applicable to steamships, the familiar rule that the statute must be so construed as to have effect in every part, if it can be done, being found in it (Smith's Com. 716). [illegible] provisions of the section, he [illegible] extended to steamships, [illegible] standing alone in the first section of the act, and the sixth is also [illegible] masts and rigging." This decision [illegible] the circuit court of [illegible] court, and the judge who made it has since been raised on the supreme bench. No other decision upon the act has been cited to [illegible] knowledge.

The provision of the statute, this §10 was [illegible] to steam vessels, [illegible] applicable to sail vessels. But afterwards it was repealed by an amendment to 4426 of the R. S., by the act of February 27, 1877 (19 Stat., 250), to perfect the revision of the statutes of the U. S., etc. By [illegible] ment the act now stands [illegible] section was construed [illegible] Chatham, not to be applicable to steam vessels, with this additional and material circumstance in favor of such construction, namely: that contrary to the deliberate replacement of it, have not only declared it shall have effect as a part of the statute, but presumably that it shall have the effect of a legislative [illegible] construction given to it by the [illegible] courts. (Dialogues, 27 Tex. 16; Kirkpatrick v. Mason's executors, 2 Brock., 391; Com. v. Hartnett, 3 Gray, 451; Cathcart v. Robinson, 5 Pet., 279.)

The argument of the district attorney in favor of the libel is, that the provisions in § 2, are applicable to steamers, and therefore made applicable to steam vessels by the operation of § 10, because, by them the "space" between each berth and his [illegible] and [illegible] that they [illegible] that the [illegible] which § 10 is intended to [illegible] is not without force.

There is quite as much need that a steerage passenger shall have the "space" and privacy provided in § 2, when he lies down to sleep or is prostrated with sickness, as that he shall have the same [illegible] between decks provided in § 2. And although the word "space" is not used in § 2, still that is the subject of it, and the division and appropriation among the passengers, for the purpose of berths, is thereby carefully and minutely regulated.

But, in the light of the decision in the case of the Manhattan, and [illegible] the unqualified re-enactment by congress of § 10 in 1877, after the construction there given to it, in 1868, I do not feel at liberty to hold otherwise. The exceptions are sustained and the libel dismissed.

And it may not be amiss to remark that this conclusion is not in conflict with what may be called the justice of the case. These Chinese immigrants are all males, and generally adults, and there is very little need in their case in the division of berths, as required by said § 2.

This regulation was made to meet the case of European immigrants, consisting of both sexes, married and unmarried.

It is not pretended that any particular harm or inconvenience has resulted from the want of a division of berths in this case, and the enforcement of the law, even if it were applicable, would be more for the punishment of the shipper than for the protection of the immigrant.

James F. Watson for the U. S.
John H. Whalley for the claimants.

Gutteau's Prediction Comes True.

Denver Tribune.

Gutteau's prediction that the country would suffer an awful affliction in the event of his execution has proven true. Congress is still in session.

A FOOL ONCE MORE.

For ten years of my life I was confined to my bed [illegible] complication of ailments that no doctor could tell what was the matter or give me relief. I spent a small fortune in doctoring, and was given up by all as incurable. Six bottles of Hop Bitters did me more good than I would be a fool once more. I tried them, and [illegible] fully proved to be wisdom. Two bottles of my folly proved to be wisdom. Two bottles of Hop Bitters [illegible] as well and strong as any man, woman or child. I was a fool once, but am no fool now, to suffer when Hop Bitters will cure. I will, gratis, tell my neighbors what cured me. I was a fool to suffer as I did, and am a fool if I ever suffer again. I was a fool to die, and Hop Bitters would have saved me. I am no fool, as my neighbors will testify. I am a man, and will be a man, and not a fool. I am a man, and will be a man, and not a fool. I am a man, and will be a man, and not a fool